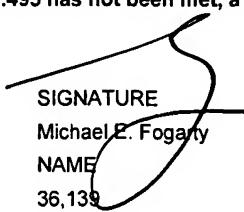


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|--|---|--|
| FORM PTO-1390<br><b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A FILING UNDER 35 U.S.C. 371</b> |   | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE<br>ATTORNEY'S DOCKET NUMBER<br>071971-0569 |
|  |   | U.S. APPLIC. NO. (if known, see 37 CFR 1.6)<br>Not Yet Assigned<br><b>107576120</b>                |
| INTERNATIONAL APPLICATION NO<br>PCT/JP2004/014143  | INTERNATIONAL FILING DATE<br>September 21, 2004   | PRIORITY DATE CLAIMED<br>October 23, 2003  |
| TITLE OF INVENTION<br>PHOTOMASK AND PATTERN FORMATION METHOD AND MASK DATA GENERATION METHOD USING THE SAME  |   |  |
| APPLICANTS FOR DO/EO/US<br>Akio MISAKA   |   |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:                      |   |  |
| 1.   | <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.   |  |
| 2.   | <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.  |  |
| 3.   | <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.   |  |
| 4.   | <input checked="" type="checkbox"/> The US has been elected (Article 31).   |  |
| 5.   | <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<br>a. <input type="checkbox"/> is attached herewith (required only if not transmitted by the International Bureau).<br>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.<br>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)  |  |
| 6.   | <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).  |  |
| 7.   | <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<br>a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).<br>b. <input type="checkbox"/> have been communicated by the International Bureau.<br>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendment has NOT expired.<br>d. <input type="checkbox"/> have not been made and will not be made. |  |
| 8.   | <input type="checkbox"/> An English translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).   |  |
| 9.   | <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).  |  |
| 10.  | <input type="checkbox"/> An English translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).  |  |
| Items 11. to 16. below concern other document(s) or information included:  |   |  |
| 11.  | <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.   |  |
| 12.  | <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.  |  |
| 13.  | <input checked="" type="checkbox"/> A preliminary amendment.  |  |
| 14.  | <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.   |  |
| 15.  | <input type="checkbox"/> A substitute specification.  |  |
| 16.  | <input checked="" type="checkbox"/> Please let PTO Records reflect the title as printed on the specification and Declaration rather than the title on the International Application   |  |
| 17.  | <input checked="" type="checkbox"/> Forms PCT/ISA/210, 237  |  |
| 18.  | <input checked="" type="checkbox"/> Front page of the published International Application   |  |
| 19.  | <input checked="" type="checkbox"/> PCT Request   |  |
| 20.  | <input checked="" type="checkbox"/> Other items or information.<br>Forms PCT/IB/301, 304, 311   |  |

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|--|--------------|---|--------------|---|----------|
| U.S. APPLICATION NO. (If Known, see 37 CFR 1.160)<br>Not Yet Assigned  |              | INTERNATIONAL APPLICATION NO.<br>PCT/JP2004/014143                            |              | ATTORNEY'S DOCKET NUMBER<br>071971-0569 |          |
|  |              |   |              | CALCULATIONS PTO USE ONLY               |          |
| 21. <input checked="" type="checkbox"/> The following fees are submitted:  |              |   |              |   |          |
| <input checked="" type="checkbox"/> Basic National Stage Fee   |              |   |              | \$300                                   | \$300.00 |
| 22. <input checked="" type="checkbox"/> Examination Fee<br>If the written opinion prepared by ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)                              |              |   |              | \$0                                     |          |
| All other situations   |              |   |              | \$200                                   | \$200.00 |
| 23. <input checked="" type="checkbox"/> Search Fee (37CFR 1.492(b))<br><br>If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)                   |              |   |              | \$0                                     | \$400.00 |
| Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority  |              |   |              | \$100                                   |          |
| International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB   |              |   |              | \$400                                   |          |
| All other situations   |              |   |              | \$500                                   |          |
| TOTAL OF 21, 22 and 23 =   |              |   |              | \$900.00                                |          |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. |              |   |              | \$                                      |          |
| Total Sheets   | Extra Sheets | Number of each additional 50 or fraction Thereof (round up to a whole number) | RATE         |   |          |
| -100   | /50=         |   | X\$250       | \$                                      |          |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).   |              |   |              | \$                                      |          |
| CLAIMS   |              | NUMBER FILED  | NUMBER EXTRA | RATE                                    |          |
| Total Claims   |              | 29-20 =   | 9            | x \$50.00                               | \$450.00 |
| Independent Claims   |              | 4-3 =   | 1            | x \$200.00                              | \$200.00 |
| Multiple dependent claim(s) (if applicable)  |              |   |              | +\$360.00                               | \$       |
| TOTAL OF ABOVE CALCULATIONS =  |              |   |              | \$1550.00                               |          |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.   |              |   |              | \$                                      |          |
|  |              |   |              | SUBTOTAL = \$1550.00                    |          |
| Processing fee of \$130.00 for furnishing the English translation later than the 30 months from the earliest claimed priority date (37 CFR 1.492(f)).  |              |   |              | +\$                                     |          |
|  |              |   |              | TOTAL NATIONAL FEE =                    |          |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property   |              |   |              | +\$                                     |          |
| TOTAL FEES ENCLOSED =  |              |   |              | \$1550.00                               |          |
|  |              |   |              | Amount to be refunded \$                |          |
|  |              |   |              | Amount to be charged \$1550.00          |          |
| a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.   |              |   |              |   |          |
| b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>500417</u> in the amount of \$ <u>1550.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.  |              |   |              |   |          |
| c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>500417</u> . A duplicate copy of this sheet is enclosed.                             |              |   |              |   |          |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.  |              |   |              |   |          |
| SEND ALL CORRESPONDENCE TO:<br>Customer Number 20277<br>Telephone: 202.756.8000<br>Facsimile: 202.756.8087<br>Date: April 18, 2006   |              |   |              |   |          |
| <br>SIGNATURE<br>Michael E. Fogarty<br>NAME<br>36,139<br>REGISTRATION NUMBER  |              |   |              |   |          |